

2013 DRAFTING REQUEST**Bill**

Received: **7/10/2013** Received By: **phurley**
 Wanted: **As time permits** Same as LRB:
 For: **Garey Bies (608) 266-5350** By/Representing: **Cory**
 May Contact: Drafter: **phurley**
 Subject: **Criminal Law - miscellaneous** Addl. Drafters:
 Extra Copies:

Submit via email: **YES**
 Requester's email: **Rep.Bies@legis.wisconsin.gov**
 Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Aiding or abetting a criminal

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	phurley 7/10/2013	jdye 7/10/2013	phenry 7/10/2013	_____			
/1				_____	lparisi 7/10/2013	srose 7/11/2013	State S&L Crime

FE Sent For:

@ intro

<END>

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/?	phurley	7/10 jld	7/10 ph				

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<END>

Hurley, Peggy

From: Bruce, Cory
Sent: Tuesday, July 09, 2013 3:25 PM
To: Hurley, Peggy
Subject: Companion Draft Request - Co-Sponsorship of LRB 1886 – Aiding a Felon and Providing Penalties

Peggy,

I believe Olsen's office called you, but wanted to follow up with a request that a companion bill is drafted for our office on LRB 1886 – Aiding a Felon

Let me know if you have any questions.

Thanks,
Cory

From: Sen.Olsen
Sent: Monday, July 08, 2013 12:22 PM
To: *Legislative All Assembly; *Legislative All Senate
Subject: Co-Sponsorship of LRB 1886 – Aiding a Felon and Providing Penalties

To: **Legislative Colleagues**

From: **Senator Luther Olsen**

Re: **Co-Sponsorship of LRB 1886 – Aiding a Felon and Providing Penalties**

Deadline: **Tuesday – July 16th – 5:00pm**

This proposal would strengthen Wisconsin's laws prohibiting the aiding of a felon, known in some states as "accessory after the fact" laws.

Current law prohibits anyone, other than a family member, from aiding a felon or destroying, altering, or hiding evidence in order to prevent a felon from getting caught or convicted. Individuals related or married to the felon are exempted from this law.

This proposal increases the maximum penalties for aiding a felon who has committed a class A, B, C, or D felon as follows:

Confinement: 1 ½ to 5 years
Supervision: 2 to 5 years
Fine: \$10,000 to \$25,000

This proposal also removes the exception for relatives or spouses, who intentionally destroy, alter damage, hide evidence, or place false evidence in order to help a criminal escape arrest/prosecution. The message this proposal sends is that crime should not be a "family affair" and aiding a criminal in the case of a more serious felony should carry more significant consequences than assisting a less serious felony.

If you would like to co-sponsor this legislation, please contact Senator Olsen at 6-0751 or reply to this email.

Attached for review is a copy of the bill:

<< File: LRB 1886 Aiding or Abetting a Criminal.pdf >>



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-7886/A

PJH:sac:rs

2013 BILL

7-10-13

Keep ↑
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Regen

- 1 AN ACT *to repeal* 946.47 (3); *to amend* 946.47 (1) (intro.); and *to create* 946.47
- 2 (2m) of the statutes; **relating to:** aiding a felon and providing penalties.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from harboring or aiding a felon with intent to prevent the felon's apprehension. Current law also prohibits a person from destroying, altering, hiding, or disguising physical evidence or placing false evidence with intent to prevent the apprehension, prosecution, or conviction of a felon. These two prohibitions, however, do not apply to the felon or to his or her spouse, parents, grandparents, children, grandchildren, brothers, or sisters. A person who violates one of these prohibitions may be fined up to \$10,000 or sentenced to a term of imprisonment of up to three and one-half years, or both.

This bill eliminates the exception for the felon and the felon's spouse, parents, grandparents, children, grandchildren, brothers, and sisters. The bill also increases the violation for violating these prohibitions if the felon being aided committed: 1) a Class A, B, C, or D felony; 2) an unclassified felony that is punishable by a sentence of life imprisonment; or 3) an offense in another state that is punishable by imprisonment there for one year or more and that would, if committed in Wisconsin, be a Class A, B, C, or D felony or be punishable by a sentence of life imprisonment. A person who aids the felon who commits these offenses is guilty of a Class G felony and may be fined up to \$25,000 or imprisoned for up to ten years, or both.

Because this bill creates a new crime or revises a penalty for an existing crime, the Joint Review Committee on Criminal Penalties may be requested to prepare a report concerning the proposed penalty and the costs or savings that are likely to result if the bill is enacted.

BILL

For further information see the **state and local** fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 946.47 (1) (intro.) of the statutes is amended to read:

946.47 (1) (intro.) Whoever does either of the following is ~~guilty of a Class I~~
felony may be penalized as provided in sub. (2m):

SECTION 2. 946.47 (2m) of the statutes is created to read:

946.47 (2m) Whoever violates sub. (1) is guilty of the following:

(a) A Class G felony, if the offense committed by the felon being aided is, or would have been if the offense had been committed in this state, any of the following:

1. A Class A, B, C, or D felony.

2. An unclassified felony that is punishable by a sentence of life imprisonment.

(b) A Class I felony, if the offense committed by the felon being aided is, or would have been if the offense had been committed in this state, any of the following:

1. A Class E, F, G, H, or I felony.

2. An unclassified felony that is not punishable by a sentence of life imprisonment.

SECTION 3. 946.47 (3) of the statutes is repealed.

(END)

Parisi, Lori

From: Bruce, Cory
Sent: Wednesday, July 10, 2013 2:19 PM
To: LRB.Legal
Subject: Draft Review: LRB -2647/1 Topic: Aiding or abetting a criminal

Please Jacket LRB -2647/1 for the ASSEMBLY.